

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3053
)	
v.)	
)	
CHIENT HUNG NGUYEN, AARON)	MEMORANDUM AND ORDER
WILLIAM POLK,)	
)	
Defendants.)	
_____)	

The defendants have moved to continue the pretrial motion deadline currently set for December 10, 2010. Filing nos. 53 and 54. Defense counsel explain they need additional time to confer with the government regarding recent discovery received before the defendants can determine whether pretrial motions should be filed. The Court has contacted the government and they are unopposed to the continuance. Based on the showing set forth in the defendants' motions, the court finds the motions should be granted.

IT IS ORDERED:

- 1) The defendants' unopposed motions to continue, (filing nos. 53 and 54), are granted and the defendants' pretrial motions and briefs shall be filed on or before December 20, 2010.
- 2) The ends of justice served by granting defendants' motions to continue the pretrial motion deadline outweigh the interests of the public and the defendants in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and December 20, 2010, shall be deemed excluded in any computation of time under the requirements of the Speedy Trial Act, for the reason that defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of

counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7).

DATED this 13th day of December, 2010.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge